

MINUTES September 16, 2015  
OF THE CITY OF KEY WEST  
CONTRACTOR'S EXAMINING BOARD  
KEY WEST FLORIDA

DOMINGO CASTELLANOS, CHAIRMAN

CALL TO ORDER: 2:02 PM.

PRESENT:

Domingo Castellanos, Chairman  
Rick Milleli  
Dan Acevedo  
Merrill Sand  
Norman Wood

ABSENT:

Paul Marotte  
Frank Balbuena

STAFF:

Carolyn Walker, Secretary  
Ron Ramsingh, City Attorney  
Bonnita Badget, Code Officer  
Leo Hernandez, Code Officer  
Jorge Lopez, Code Officer  
Kelly Perkins, Asst HARC Planner  
James Young, Code Manager  
Ron Wampler, Building Official

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

All in favor.

APPROVAL OF MINUTES

Motioned by Member Milleli  
Second by Member Wood

Witnesses sworn in.

All contactors were present with exception of Wayne Garcia. Board agreed to move his item to end of agenda to give him opportunity to arrive.

ACTION ITEM

**410 Virginia Street, Preferred Painting 2 (hearing) 15CEB68**

Code Officer Bonnita Badgett

**CHARGE:** Working over the scope of HARC permit and working without benefit of a building permit.

On August 12 Officer Badgett placed a Stop Work Order at 410 Virginia Street. Officer Badgett wrote on 8-12-15 "I placed a Stop Work Order at 410 Virginia Street for exceeding the work of their painting permit. HARC #15-01000524. Preferred Painting was doing the work. Approximately 40 LF of soffit, siding, boards around windows, removed trim boards 60 LF. Expecting to replace approximately 120 LF of soffit and more siding. Needs a general contractor. Homeowner is out of town."

**EXISTING HARC PERMIT WAS ISSUED 5-19-15**

15 01000524

REPLACE APPROX. 12 BOARDS ON THE HOUSE STRUCTURE AND PAINT W/HARC APPROVED PASTEL COLORS. HOUSE TO BE PASTEL BLUE W/ WHITE TRIM. NEW SIDING TO MATCH EXISTING IN MATERIAL AND PROFILE. \*\*HSA 05/11/15. (KP)\*\*

**PERMIT APPLICATION:** Lepine Builders applied for an after-the-fact building permit for

8/18/15 \*\* AFTER THE FACT\*\* REMOVE/REPLACE WOOD SIDING APP. 1/2" LAP SIDING REMOVAL/ REPLACE APP. 60 LF OF SOFFIT ON NORTH AND WEST SIDES OF MAIN STRUCTURE.

**INSPECTIONS:** No inspections have been scheduled as of agenda preparation.

**LICENSING:** Preferred Painting 2 is a Specialty Painting Contractor with a valid competency card and local business license.

**HISTORY:** No previous violations.

Michael Syring presented his side but did not contest the charges. Code Officer Badgett presented for the City. Brief Discussion by the Board.

Motion by Member Wood to impose reprimand and \$100 administrative fee only.  
Second by Member Melelli.  
All in favor.

THE BOARD FINDS as follows:

1. That Preferred Painting 2 performed work over the scope of its Competency Card at 410 Virginia Street on August 12, 2015.

THEREFORE IT IS ORDERED AND ADJUDGED THAT:

1. That Preferred Painting 2, Michael Syring, qualifier, receives a letter of reprimand, plus \$100.00 administrative fine. DONE AND ORDERED THIS 17<sup>th</sup> day of September, 2015.

**2601 S. Roosevelt Blvd A107, LT Builders (hearing) 15CEB69**

Code Officer Bonnita Badgett

**CHARGE:** Working without benefit of a building permit

On July 28th Officer Badgett issued a stop work order at 2601 S. Roosevelt Blvd #A107. Contractor LT Builders (Layne Thrasher, qualifier).

Officer Badgett wrote on 8-10-15 "Layne Thrasher, Island Doors & Windows / LT Builders replaced an exterior door at this property and our office received a complaint regarding no permits at 2601 S. Roosevelt Blvd A107 for installation of new door and frame. The manager of the property stated she helped Frances Leach, 90 years old, fill out the application for the building permit signed on June 10, 2015 and gave to Layne Thrasher to submit to the building department. A permit had not been applied for on the morning on July 28th when I placed the stop-work-order. I spoke to them that day and said they need to submit the application. An application was submitted on August 5th. Ready and picked up August 6, 2015. "

**PERMIT APPLICATION RECEIVED 8-5-15**

15 00003278

AFTER-THE-FACT\*\*\*\*\*

Remove old entrance door and replace with new F/G entrance door, non-impact in existing space. (noc rec'd w/app).

**PERMIT PAID AND PICKED UP 8-7-15.**

**INSPECTION HISTORY:**

Date	Inspection Description	ID	Date	Time	Stat	Date
8/19/15	BUILDING FINAL BI	8/13/15	AP	8/19/15		
8/18/15	WORK IN PROGRESS DR	8/18/15	AP	8/18/15		
8/10/15	BUILDING OTHER DJH	8/10/15	DA	8/10/15		

**LICENSING:**

LT Builders is a Certified General Contractor with a valid state and local license.

**HISTORY:** No previous violations.

Layne Thrasher presented his side and contested the charges stating that his crew did not start the work; after the permit was issued he continued and completed the work. Code Officer Badgett presented for the City. Brief Discussion by the Board.

Motion by Member Acevedo to dismiss charges based on lack of evidence.

Second by Member Wood.

All in favor.

THE BOARD FINDS as follows:

1. That LT Builders did not violate section 14-37; no evidence that workers performing work without a permit were LT Builders employees or acting upon direction of LT Builders.

THEREFORE IT IS ORDERED AND ADJUDGED THAT:

1. That LT Builders, Layne Thrasher, qualifier, is cleared of all charges pertinent to 2601 S Roosevelt Blvd A107 dated 8/10/15. DONE AND ORDERED THIS 17<sup>th</sup> day of September, 2015.

**8218 3312 Northside Drive #316, Curry Refrigeration & AC Inc.  
(hearing) 15CEB66**

Code Officer Jorge Lopez

**CHARGE:** Working without benefit of a mechanical permit.

On August 14, 2015 Officer Lopez issued a stop work order at 3312 Northside Drive #316. Contractor Curry Refrigeration & AC Inc. (Patrick Curry, qualifier).

Officer Lopez wrote on 8-14-15 "I issued and posted a stop work order at the subject property for installing an HVAC unit without benefit of a permit. "

**PERMIT APPLICATION RECEIVED 8-17-15**

15-3432

AFTER THE FACT: CHANGE OUT OF 1 2-TON WATER COOLER UNIT. N.O.C RECEVD.

**PERMIT PAID AND PICKED UP 8-21-15.**

**INSPECTION HISTORY:**

Date Inspection Description ID Date Time Stat Date  
9/01/15 MECHANICAL FINAL TR 9/01/15 AP 9/01/15

**LICENSING:**

Curry Refrigeration & AC Inc is a Certified Class B Air Conditioning Contractor with a valid state and local license.

**HISTORY:**

2011: CASE 11-271. Stop worker issued for installing condensor at 722 Simonton without a permit. Case was dismissed (no violation).

Patrick Curry presented his side but did not contest the charges. Code Officer Lopez presented for the City. Brief Discussion by the Board.

Motion by Member Acevedo to impose reprimand and \$100 administrative fee only.

Second by Member Wood

All in favor.

THE BOARD FINDS as follows:

1. That Curry Refrigeration & AC Inc. performed work without a permit at 3312 Northside Drive #316 on 8-14-15.

THEREFORE IT IS ORDERED AND ADJUDGED THAT:

1. That Curry Refrigeration & AC Inc, Patrick T. Curry, qualifier, receives a letter of reprimand plus \$100.00 administrative fine. DONE AND ORDERED THIS 17<sup>th</sup> day of September, 2015.

**920 Caroline Street, All Weather Air Conditioning & Refrigeration (Hearing)  
15CEB67**

Code Officer Leonardo Hernandez

**CHARGE:** Working without benefit of a HARC permit and mechanical permit.

On July 7, 2015 Officer Hernandez issued a stop work order at 920 Caroline Street. Contractor All Weather Air Conditioning & Refrigeration Inc.

(Michael Gibbons, qualifier).

Officer Hernandez wrote on 7-7-15 "Joe's Place located at 920 Caroline Street has installed a 5 ton exterior AC unit in violation of Sec. 14.37. At arrival All Weather Air Conditioner, the contractor retained for these permits, was maintaining the unit which they admitted to have installed over a month ago. I issued and posted a stop work order and advised them to provide our FEMA coordinator with the required re-configuration for reinstallation and to comply with FEMA standards/regulations. "

**PERMIT APPLICATION RECEIVED 7-13-15**

15-2863

REPLACE EXISTING A/C SYSTEM FRONT PORTION OF BLDG. 5-TON CONDENSING UNIT MOUNTED ON EXISTING STAND ON ROOF. NEW AIR HANDLER TO BE HUNG HORIZ. ATTACHED TO EXISTING DUCTWORK. GH

HARC #15-01-1081-HSA-7/14/15-KP.

If railings are needed, they need HARC approval.(KP)\*\*

**PERMIT PAID AND PICKED UP 7-27-15.**

**INSPECTION HISTORY:** No inspections have been scheduled as of agenda preparation date.

**LICENSING:**

All Weather Air Conditioning & Refrigeration Inc. is a Registered Air Conditioning Contractor with a valid state and local license.

**HISTORY:** No previous violations.

Michael Gibbons presented his side but did not contest the charges. Code Officer Hernandez presented for the City. Brief Discussion by the Board.

Motion by Member Melleli to impose reprimand and \$100 administrative fee only.

Second by Member Acevedo.

All in favor.

THE BOARD FINDS as follows:

1. That All Weather Air Conditioning & Refrigeration performed work without a permit at 920 Caroline Street on 7-7-15.

THEREFORE IT IS ORDERED AND ADJUDGED THAT:

1. That All Weather Air Conditioning & Refrigeration, Michael Gibbons, qualifier, receives a letter of reprimand plus \$100.00 administrative fine. DONE AND ORDERED THIS 17<sup>th</sup> day of September, 2015.

**15-7699 15CEB65 Wayne Garcia (hearing)**

Code Officer James Young and HARC Planner Kelly Perkins  
711 Galveston Lane

**CHARGE:** Working without benefit of a building permit and Certificate of Appropriateness (HARC).

On March 24, 2015 application was made for Building and HARC permit by Contractor Garcia.

On Monday March 30, 2015 HARC Assistant Kelly Perkins wrote: " I received a permit to replace the siding on this building. The application was to remove all of the siding, which is abnormal from what we approve unless the siding is in poor condition. From the photos provided, it didn't look to be in great shape, but I went to go look at it in person. When I showed up, all of the siding had been removed. Unfortunately, I was not able to take photos. Enid wasn't sure if you would want to issue a stop work order for this kind of work or what the ramifications should be. My guess is they already got rid of the siding that was there."

The case was subsequently assigned to Code Officer Lockyear (no longer works for the City of KW).

HARC 15 01000421

AFTER-THE-FACT

Remove and replace 900SF of novelty siding with same. Paint house white with green trim.

BUILDING 15 00001095 -

AFTER-THE-FACT

Remove and replace 900SF of novelty siding with same. Paint house white with green trim. (noc required).

HARC #15-01000421.

**PERMITS PAID AND PICKED UP ON 6-10-15**

**INSPECTIONS:** As of date of agenda preparation, final inspections have not been scheduled or inspected.

**LICENSING:** Wayne Garcia is a Certified Building Contractor with active State and City license.

**HISTORY:** Prior Violation: 1724 Rose Street. 15CEB60. Found in violation.

No one was present to speak for the contractor. Carolyn Walker stated that the City received good service on the meeting notice; plus Mr. Garcia was in the Building Department earlier that morning conducting business and was personally reminded of the meeting by Carolyn. HARC Planning Assistant Kelly Perkins described her findings to the board. Brief Discussion by the Board.

Motion by Member Acevedo to impose \$500 fine for HARC violation; \$500 fine for working without Building permit; reprimand and \$100 administrative fee.

Second by Member Melelli.

All in favor.

THE BOARD FINDS as follows:

1. That Wayne Garcia commenced work without a HARC Certificate of Appropriateness and Building permit at 711 Galveston Lane on March 30, 2015.

THEREFORE IT IS ORDERED AND ADJUDGED THAT:

1. That Wayne Garcia, Wayne Garcia, qualifier, receives a letter of reprimand, fine of \$1,000.00 representing one count HARC of \$500.00 and one count Building Permit \$500.00 plus \$100.00 administrative fine. DONE AND ORDERED THIS 17<sup>th</sup> day of September, 2015.

DISCUSSION ITEM

Carolyn Walker let Board members know that Mayor requested that Member Marotte be replaced since he has stopped attending meetings, and that she will be seeking resumes until the end of September.

Meeting adjourned 2:54 pm.

Respectfully submitted,  
*Cwalker*  
Carolyn Walker,  
Secretary